

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

RICKY G. PRYOR,

Plaintiff,

vs.

MICHAEL J. ASTRUE,
COMMISSIONER OF THE SOCIAL
SECURITY ADMINISTRATION,
Defendant.

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Case No. 4:11CV00390 ERW

MEMORANDUM AND ORDER

This matter is before the Court upon the Report and Recommendation of United States Magistrate Judge David D. Noce [ECF No. 19]¹ pursuant to 28 U.S.C. § 636(b).

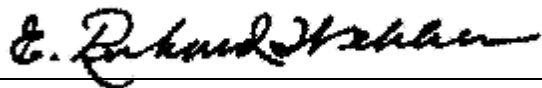
The Court notes that no objections to the Report and Recommendation were filed within the time period afforded by 28 U.S.C. § 636(b)(1). The Court has considered the Report and Recommendation and hereby sustains, adopts, and incorporates herein the Magistrate's Report and Recommendation in its entirety. The Social Security Commissioner's decision is reversed and remanded.

¹ The Court notes that on page 19 of the Report and Recommendation, the citation to the Code of Federal Regulations relating to the definition of "concentration, persistence, or pace" should read, "20 C.F.R. Pt. 404, Subpt. P, App. 1, § 12.00 (C)(3)."

Accordingly,

IT IS HEREBY ORDERED that under Sentence Four of 42 U.S.C. § 405(g), the final decision of the Commissioner of Social Security denying Plaintiff Ricky G. Pryor's application for disability benefits is **REVERSED**, and the case is remanded to the Commissioner for further proceedings consistent with this Order.

Dated this 18th day of January, 2012.

A handwritten signature in black ink, appearing to read "E. Richard Webber", written in a cursive style.

E. RICHARD WEBBER
SENIOR UNITED STATES DISTRICT JUDGE